

III. REMARKS

None of the dependent claims are dependent on multiple dependent claims and therefore it is requested that the 37 CFR 1.75(c) objections be withdrawn.

The new claims do not contain the objected terminology. Therefore it is requested that the 37 CFR 1.75(d) (1) objections be withdrawn.

Claims 17 -26 have been amended so that they clearly define subject matter disclosed in the specification and drawings and applicant has supplied as an aid to understanding the claims the numerals which are in the drawings that exemplify the invention as claimed. these numerals are only for an understanding of the invention and are not intended to limit the claims to the specific structure of the drawings. Therefore it is requested that the 35 U.S.C. 112 rejection be withdrawn.

The WO 97/46853 discloses a sensor according to the preamble of the new claim 17, in which a tracer-permeable membrane or insert (4) is placed in the mouth (3) of a tracer reservoir confined by a container (2a), whereby the said insert forms a permeable wall portion of the reservoir. Further a sensoric tip (6) of a transducer (1) is placed inside the permeable insert (4). According to page 9, lines 15-17, the transducer may also be placed outside the insert (4).

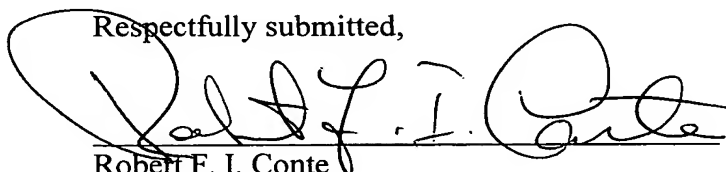
In relation to the transducer and the sensoric tip thereof a number of examples of possible transducers are mentioned on page 6, lines 10-13. According to page 9, lines 10-11, the diameter of the tip of the transducer is 2 μm . From this information combined with the specification as a whole, the transducer (1) detects or measures the tracer concentration or pressure in a single point or in an extremely limited space. This would also apply, if the transducer is provided with an inner cavity sealed by the permeable insert (4), when the tip (6) is inserted therein or by a separate membrane, when the tip (6) is placed outside of the insert (4). Further in the mentioned instances the insert (4) or the separate membrane would form an end wall of the transducer cavity.

The sensor of the present invention is characterized in that the reservoir (4) and the detection cavity (5) are mutually interspaced, elongated cavities and that the tracer-permeable reservoir wall portion (3;14') and the tracer-permeable detection cavity wall portions (3; 15') are elongated side wall portions.

Due to the elongated shape of the reservoir (4) and the detection cavity (5), respectively, and especially the elongated tracer-permeable wall portions of the reservoir wall (4) and the detection cavity (5), respectively, the diffusion of the tracer out of the reservoir (4) and the diffusion of the tracer into the detection cavity (5) and into the surrounding tissue during use of the sensor take place through considerably larger areas than when using a sensor according to the prior art. As a result, it is possible to measure the tissue perfusion over a larger area of the tissue or to obtain measurement of an average tissue perfusion in said area of the tissue.

Therefore, it is respectfully submitted that claims 17-26 patently distinguish over the Revsbach et al 97/46853 reference and are now in condition for allowance and an early Notice of Allowance is requested

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert F. I. Conte", is written over a horizontal line.

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